



NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

CHAPTER: 1.1.2

TITLE: LAW ENFORCEMENT CREDENTIALS AND CERTIFICATIONS

EFFECTIVE: 10/22/2017

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PURPOSE

New Orleans Police officers are trained, certified and credentialed under the authority of the Superintendent of Police. When commissioned members of the Department are separated from service or employment with the NOPD under less than honorable circumstances, his/her credentials and certifications as a law enforcement or peace officer will be revoked.

POLICY STATEMENT

1. The credentialing and certification of a commissioned member of the New Orleans Police Department derives from authority granted to the Superintendent of Police by the Home Rule Charter, and the Code and Ordinances of the City of New Orleans.
2. The Superintendent of Police has the authority to limit or revoke a commissioned member's authority and credentials for cause.
3. The Louisiana Commission of Law Enforcement and Administration of Criminal Justice / Peace Officer Standards and Training Council is the certifying agency for the State of Louisiana and has the sole authority for final determinations concerning the revocation of POST peace officer certifications.

DEFINITIONS

Credentials—An identification card, document or certified document showing a law enforcement officer's legal right to exercise official power or authority. Credentials are a visual representation of a law enforcement officer's legal authority.

Certification—Official approval from a legal authority to perform acts or exercise a right legally. A certification is a visual representation of a law enforcement officer's adherence to a set legal training standard.

Commission—A document issued by a legal authority granting an individual a particular position or rank as well as the legal authority to enforce laws and make arrests.

GENERAL PROVISIONS

4. Members of the New Orleans Police Department who have been separated from service or employment with the NOPD under less than honorable circumstances shall have his/her commission (active or retired) revoked by the Superintendent and a notice sent to the Louisiana Council on Peace Officer Standards and Training recommending the revocation of his/her Louisiana P.O.S.T. certification (see also: **R.S. 40:2405 (J)**). The Superintendent's Office shall submit this notice within 30 business days of the final determination of less than honorable separation as defined by this Chapter.
5. Separated from service or employment with the NOPD (includes full-time, part-time and reserve commissioned members) under less than honorable circumstances includes:
 - (a) A conviction of malfeasance of office.
 - (b) A conviction of an offense which results in the individual officer's restriction of his/her constitutional right to bear arms. (For purposes of this provision, any offense which results in the restriction of an individual officer's access to/use of firearms qualifies.)
 - (c) Involuntary termination for disciplinary reasons involving an adjudication of civil rights violations where the officer has exhausted all administrative remedies.
 - (d) The officer has been convicted of a misdemeanor involving the crime of domestic abuse battery (R.S. 14:35.3) or a felony in any court of the United States.
 - (e) A judicial disposition in a criminal case which results in revocation of certification.
 - (f) Conviction of an offense greater than a misdemeanor under state law.
 - (g) Resigned or retired under investigation for an offense greater than a misdemeanor under state law.
6. Members of the New Orleans Police Department who have been separated from service or employment with the NOPD under other circumstances that raise serious concerns (e.g., for bribery or dishonesty) may have his/her commission (active or retired) revoked by the Superintendent and a notice sent to the Louisiana Council on Peace Officer Standards and Training recommending the revocation of his/her Louisiana P.O.S.T. certification at the Superintendent's discretion. The Superintendent's Office will submit notice to the former member of any such discretionary referral within 30 business days of the final determination of separation.
7. The intent to revoke a commission or law enforcement certification (including POST) of a former commissioned member shall be communicated, in writing, to the member's last known address of record.
8. Commissioned members who resign or retire under investigation under circumstances that would allow for the commissions and certification(s) to be revoked shall receive notification of the information, known at the time, communicated to POST with a request for revocation.
9. All records, reports and correspondence associated with cases involving the application of this Chapter shall be maintained in a separate file in the Public Integrity Bureau after the final determination of action by the Superintendent and the Louisiana Commission of Law Enforcement and Administration of Criminal Justice / Peace Officer Standards and Training Council.
10. Only notations of final determinations of revocation of credentials, commission and certification(s) shall be noted on the member's personnel and disciplinary record. The record shall be maintained for at least five years after the revocation.

11. The Superintendent's exercise of discretionary authority under this Chapter does not create any rights, privileges or causes of action for redress not already granted by law.